

109TH CONGRESS
1ST SESSION

S. 236

To amend title XVIII of the Social Security Act to clarify the treatment of payment under the medicare program for clinical laboratory tests furnished by critical access hospitals.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 1, 2005

Mr. NELSON of Nebraska (for himself, Ms. COLLINS, Ms. CANTWELL, and Mrs. MURRAY) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title XVIII of the Social Security Act to clarify the treatment of payment under the medicare program for clinical laboratory tests furnished by critical access hospitals.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Critical Access to Clin-
5 ical Lab Services Act of 2005”.

1 **SEC. 2. CLARIFICATION OF PAYMENT FOR CLINICAL LAB-**
2 **ORATORY TESTS FURNISHED BY CRITICAL**
3 **ACCESS HOSPITALS.**

4 (a) IN GENERAL.—Section 1834(g)(4) of the Social
5 Security Act (42 U.S.C. 1395m(g)(4)) is amended—

6 (1) in the heading, by striking “No
7 BENEFICIARY COST-SHARING FOR” and inserting
8 “TREATMENT OF”; and

9 (2) by adding at the end the following new sen-
10 tence: “For purposes of the preceding sentence and
11 section 1861(mm)(3), clinical diagnostic laboratory
12 services furnished by a critical access hospital shall
13 be treated as being furnished as part of outpatient
14 critical access services without regard to whether—

15 “(A) the individual with respect to whom
16 such services are furnished is physically present
17 in the critical access hospital at the time the
18 specimen is collected;

19 “(B) such individual is registered as an
20 outpatient on the records of, and receives such
21 services directly from, the critical access hos-
22 pital; or

23 “(C) payment is (or, but for this sub-
24 section, would be) available for such services
25 under the fee schedule established under section
26 1833(h).”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 subsection (a) shall apply to cost reporting periods begin-
3 ning on or after October 1, 2003.

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